

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS
URBANA DIVISION**

IN RE:)	
IKO ROOFING SHINGLE)	
PRODUCTS LIABILITY LITIGATION)	MDL No. 2104
)	
THIS DOCUMENT RELATES TO)	
ALL ACTIONS)	

ORDER NO. 1

PRACTICE AND PROCEDURE ORDER UPON TRANSFER
PURSUANT TO 28 U.S.C. SEC. 1407(a)

1. This Order shall govern the practice and procedure in those actions transferred to this court by the Judicial Panel on Multidistrict Litigation pursuant to its Transfer Order (#1) entered on December 4, 2009. These actions are listed in Schedule A attached to the Transfer Order (#1). This Order shall also govern the practice and procedure in any tag-along actions transferred to this court by the Judicial Panel on Multidistrict Litigation pursuant to Rule 12 of the Rules of Procedure of that Panel subsequent to the filing of the Transfer Order (#1) or any related actions subsequently filed in this court or otherwise transferred or removed to this court.

2. The actions described in Paragraph 1 of this Order are coordinated for pretrial purposes.

3. All documents filed in these actions shall be e-signed and e-filed. All documents e-filed in these actions shall bear the identification "MDL Docket No. 2104," and when such document relates to all of these actions, the MDL docket number shall be followed only by the notation, "ALL CASES." If such document does not relate to all of these actions, the individual docket numbers assigned by the Clerk of this Court of those actions to which the document relates shall also be listed. If the document relates to five or fewer actions, the abbreviated caption of each of the actions may be listed opposite its number.

4. Any document which is to be e-filed in any of these actions shall be e-filed in this court and not in the transferor district court.

5. Counsel who entered an appearance in the transferor district court prior to the transfer need not enter a separate appearance before this court.

6. All attorneys who have entered an appearance in these coordinated cases will receive notification of documents which are e-filed in this case. Any attorney who has not previously entered an appearance and wishes to receive notification of filings in the case must enter an appearance in this court.

7. Prior to the first pretrial conference, counsel for each group of parties whose interests are similarly aligned shall designate liaison counsel, subject to the approval of the court. Liaison counsel shall have primary responsibility for the litigation on behalf of all parties within their liaison group. Liaison counsel are also authorized to receive orders and notices from the Judicial Panel on Multidistrict Litigation pursuant to Rule 8(e) of the Panel's Rules of Procedure on behalf of all parties within their liaison group and shall be responsible for the preparation and transmittal of copies of such orders and notices to the parties in their liaison group.

8. No parties to any of these actions shall be required to obtain local counsel in this district, and the requirements of Rule 83.5 of the Rules of this court are waived as to any attorney appearing in these actions who is duly admitted to practice before any United States Court.

9. Hearings shall not be held on any motions filed except by order of this court.

10. Any document filed in any of these actions which is substantially identical to any other document filed in another of these actions shall be sufficient if it incorporates by reference the document to which it is substantially identical. Where counsel for more than one party plan to file

substantially identical documents, they shall join in the e-filing of such documents and shall e-file only one document on behalf of all so joined.

11. Any orders, including protective orders, previously entered by any transferor district court shall remain in full force and effect unless modified by the court upon application.

12. All discovery proceedings in these actions are stayed until further order of this court and the time requirements to perform any acts or file any papers pursuant to Rules 26 through 37 of the Federal Rules of Civil Procedure are tolled until the first pretrial conference at which time a discovery schedule will be established. In preparation for the first pretrial conference, counsel for all Plaintiffs shall formulate a proposed discovery schedule, shall review their proposed discovery schedule with Defendants, and shall submit their agreed upon schedule to the court for approval.

13. The court will be guided by the *Manual for Complex Litigation, Fourth*, approved by the Judicial Conference of the United States, and counsel are directed to familiarize themselves with that publication.

14. This court requests the assistance of counsel in calling to the attention of the clerk of this court the filing or transfer of any case that might properly be coordinated as part of the IKO Roofing Shingle Products Liability Litigation.

15. All other matters will be discussed at the initial pretrial conference to be set in a forthcoming order.

ENTERED this _10th day of December, 2009

s/ Michael P. McCuskey
MICHAEL P. McCUSKEY
CHIEF U.S. DISTRICT JUDGE